

1 BROWN RUDNICK LLP
2 Joel S. Miliband (SBN 077438)
(JMiliband@brownrudnick.com)
2211 Michelson Drive
3 Seventh Floor
4 Irvine, California 92612
Telephone: (949) 752-7100
Facsimile: (949) 252-1514
5

6 BROWN RUDNICK LLP
7 David J. Molton (SBN 262075)
(DMolton@brownrudnick.com)
Seven Times Square
8 New York, New York 10036
Telephone: (212) 209-4800
Facsimile: (212) 209-4801
9

10 *Counsel for Fire Victim Trustee*

11 **UNITED STATES BANKRUPTCY COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 **In re:**

15 **PG&E CORPORATION,**

16 **-and-**

17 **PACIFIC GAS AND ELECTRIC COMPANY,**

18 **Debtors.**

19 Bankruptcy Case
20 No. 19-30088 (DM)

21 Chapter 11
22 (Lead Case)
23 (Jointly Administered)

24 **STIPULATION AMONG THE FIRE**
25 **VICTIM TRUSTEE, REORGANIZED**
DEBTORS AND OFFICIAL
COMMITTEE OF TORT CLAIMANTS
PURSUANT TO B.L.R. 9006-1
SHORTENING TIME FOR HEARING
ON THE FIRE VICTIM TRUSTEE'S
APPLICATION FOR
CLARIFICATION AND
MODIFICATION OF PROTECTIVE
ORDER TO PERMIT THE TRANSFER
OF INFORMATION FOR USE BY THE
FIRE VICTIM TRUST

26 Related Document: Dkt. No. 8492

27 Affects PG&E Corporation
 Affects Pacific Gas and Electric Company
 Affects both Debtors

28 *All papers shall be filed in the Lead Case, No.
19-30088 (DM).

This stipulation and agreement (the “**Stipulation**”) for entry of an order shortening time for a hearing pursuant to Rule 9006-1 of the Bankruptcy Local Rules for the United States Bankruptcy Court for the Northern District of California is entered into by and among Justice John K. Trotter (Ret.), in his capacity as trustee for the Fire Victim Trust (the “**Fire Victim Trustee**”), PG&E Corporation and Pacific Gas and Electric Company, as reorganized debtors (together, the “**Debtors**” and as reorganized pursuant to the Plan (as defined below), the “**Reorganized Debtors**”) in the above-captioned cases (the “**Cases**”), and the Official Committee of Tort Claimants (the “**TCC**”), by and through their respective counsel. The Fire Victim Trustee, Reorganized Debtors and the TCC hereby stipulate and agree as follows:

RECITALS

11 A. On July 22, 2020, the Fire Victim Trustee filed an application [Dkt. No. 8492] (the
12 “**Motion**”), pursuant to section 105(a) of title 11 of the United States Code and Rules 2002(m)
13 and 9007 of the Federal Rules of Bankruptcy Procedure, for entry of an order in the form of
14 Exhibit A to the Motion, which would direct the clarification or modification of certain provisions
15 of the Confidentiality and Protective Order [Dkt. No. 3405] (the “**Protective Order**”) to permit
16 the Fire Victim Trustee and his staff, consultants, experts, and counsel and Cathy Yanni in her
17 capacity as Claims Administrator of the Fire Victim Trust (the “**Claims Administrator**”) and her
18 staff, consultants, experts, and counsel to access and use information produced and generated in
19 the Cases (the “**Discovery Material**”)¹ in connection with the administration of the trust
20 established for the fire victims (the “**Fire Victim Trust**”) and the prosecution of the causes of
21 action assigned to the Fire Victim Trust (the “**Assigned Claims**”) pursuant to the Court-approved
22 and effective Joint Plan of Reorganization dated June 19, 2020, (the “**Plan**”) [Dkt. No. 8053].²

23 B. As noted in the Motion, the requested clarification and modification would enable
24 the TCC to effectuate an efficient and routine transfer of relevant information to the Fire Victim
25 Trust for use in liquidating and administering the Fire Victim Trust for the largest creditor group

¹ The Protective Order generally defines “Discovery Material” to include all information produced, generated, or provided in disclosures or responses to requests in connection with the Cases. See Protective Order at ¶ 2.4.

² Capitalized terms have the definitions provided in the Plan or Protective Order, unless otherwise stated.

1 in the Cases, and for prosecuting the Assigned Claims conveyed to the Fire Victim Trust under
2 the Plan.

3 C. Also as noted in the Motion, the Debtors, who provided the vast majority of the
4 Discovery Material, consent to the transfer of their documents to the Fire Victim Trust following
5 modification of the Protective Order. The TCC, which continues to exist for certain purposes
6 under the Plan, also consents to the relief requested herein. Other parties that produced documents
7 relevant to the Trust administration, including documents in response to the TCC's 2004
8 subpoenas relating to the Assigned Claims, will not need to reproduce the same documents to the
9 Trustee (all of which are relevant and would be subject to discovery), saving time and resources
10 of both the Fire Victim Trust and third parties.

11 D. The stated goal of the Fire Victim Trust is to provide an efficient process to fairly
12 compensate the holders of timely filed Fire Victim Claims. Now that the Fire Victim Trust is
13 operational and the TCC is winding down its work in the Cases, time is of the essence with
14 respect to the relief requested in the Motion.

15 E. Pursuant to Bankruptcy Local Rule 9014-1(b)(3)(A), a hearing on the Motion
16 requires twenty-one (21) days' notice of an opportunity for a hearing. Bankruptcy Local Rule
17 9006-1(a) provides that, except as set forth therein, "approval of the Court is required to enlarge
18 or to shorten time to perform any act or file any paper pursuant to the Federal Rules of Civil
19 Procedures, the Bankruptcy Rules, or these Bankruptcy Local Rules." B.L.R. 9006-1(a).

20 F. The date currently set for a hearing on the Motion is August 25, 2020. This delay
21 of more than three weeks will prevent the TCC from effectuating the transfer of data to the Fire
22 Victim Trust that is essential to the work of the Fire Victim Trust and is no longer necessary for
23 the limited post-Effective Date work being performed by the TCC.

24 G. No parties will be prejudiced by either an earlier hearing on the Motion or by the
25 grant of relief requested by the Motion, as the Discovery Material was sought by the TCC for the
26 prosecution of the Assigned Claims by the Fire Victim Trust.

27 ///

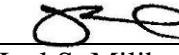
28 ///

1 UPON THE FOREGOING RECITALS, IT HEREBY IS STIPULATED AND AGREED,
2 BY AND BETWEEN THE PARTIES THROUGH THEIR UNDERSIGNED COUNSEL, AND
3 THE PARTIES JOINTLY REQUEST THE COURT TO ORDER, THAT:

4 1. Notice be shortened to permit the Motion to be heard on August [4], 2020, at 10:00
5 (Prevailing Pacific Time), and for written objections, if any, to be filed and served by 4:00 p.m.
6 (Prevailing Pacific Time) on August [2], 2020.

7 DATED: July 29, 2020

BROWN RUDNICK LLP

9 By: 

10 Joel S. Miliband
11 *Counsel for Fire Victim Trustee*

12 DATED: July 29, 2020

CRAVATH, SWAINE & MOORE

13 By: /s/ Kevin J. Orsini

14 Kevin J. Orsini
15 *Counsel for Debtors and Reorganized Debtors*

16 DATED: July 29, 2020

BAKER & HOSTETLER LLP

17 By: /s/ Kimberly S. Morris

18 Kimberly S. Morris
19 *Counsel for the Official Committee of Tort
20 Claimants*